

Docket No.: M4065.0489/P489-A (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Donald L. Yates et al.

Application No.: 10/734,201

Filed: December 15, 2003

For: METHOD OF IMPROVING SURFACE

PLANARITY PRIOR TO MRAM BIT

MATERIAL DEPOSITION

Confirmation No.: 4789

Art Unit: 2812

Examiner: H. J. Tsai

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed April 13, 2005 (Paper No. 0405), Applicant hereby elects claims 22-33 for continued examination, without traverse.

Dated: May 13, 2005

Respectfully submitted

Thomas J. D'Amaco

Registration No.: 28,371

Peter McGee

Registration No.: 35,947

DICKSTEIN SHAPIRO MORIN &

OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorneys for Applicant